



**IS/ THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of  
**Goerlitzer, et al**

Examiner: Anderson, Rebecca L.

Art Unit: 1626

Application No.: 10/789,019

Filed: February 27, 2004

Title: **Diarylcyloalkyl derivatives, process for  
their preparation and their use as  
pharmaceuticals**

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Response to Office Action

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

This paper is in response to the Office Action mailed 02/15/06. According to the Examiner, the English translation of DE10308353.7 submitted by Applicant with the paper mailed August 22, 2005, was not made of record in accordance with 37 CFR 1.55. Specifically, while Applicant filed a translation of DE10308353.7, Applicant did not file the translation together with the required statement that the translation of the certified copy is accurate. Therefore, the 35 USC 102(a) rejection of Claims 1-12 was maintained. Applicant herewith submits the translation together with the required statement that the translation of the certified copy is accurate. Applicant asserts that this submission is sufficient to overcome the 35 USC 102(a) rejection of Claims 1-12.

In view of the submission and remarks contained herein, Applicant submits that the application is in condition for allowance.

Respectfully submitted,

Barbara E. Kurys

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sanofi-aventis Docket No. DEAV 2003/0017 US NP



UNITED STATES PATENT AND TRADEMARK OFFICE

I, Dethard LAMPE Dipl.-Chem., PhD, CChem, MRSC,  
translator to RWS Group Ltd, of Europa House, Marsham Way, Gerrards Cross,  
Buckinghamshire, England declare;

1. That I am a resident of the United Kingdom of Great Britain and Northern Ireland.
2. That I am well acquainted with the German and English languages.
3. That the attached is, to the best of my knowledge and belief, a true translation into the English language of the accompanying copy of the specification filed with the application for a patent in Germany on 27 February 2003 under the number 103 08 353.7 and the official certificate attached hereto.
4. That I believe that all statements made herein of my own knowledge are true and that all statements made on information and belief are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent application in the United States of America or any patent issuing thereon.

For and on behalf of RWS Group Ltd

The 2th day of March 2006